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September 12, 2022

National Freedom of Information Officer  
U.S. EPA, Records, FOIA and Privacy Branch  
1200 Pennsylvania Avenue, N.W. (2822T)  
Washington, D.C. 20460

Re: Freedom of Information Act Request

Dear Sir or Madam:

Pursuant to the Freedom of Information Act (FOIA), as amended, 5 U.S.C. §§ 552, *et seq.*, and the U.S. Environmental Protection Agency's (EPA) rules issued thereunder, 40 C.F.R. Part 2, COGENCY GLOBAL INC., hereby requests from EPA copies of documents relating in whole or in part to EPA's August 22, 2022, announcement, entitled "EPA Updates Policy to Include All Exposures in Review of New Chemicals under TSCA." Responsive documents for this request may include letters, e-mails, text messages, facsimiles, telephone conversation logs, notes, meeting minutes, or summaries of any meetings within EPA or between EPA and external parties, memoranda, comments, presentations, petitions, technical analyses, case studies (or summaries of case studies), and related written materials.

COGENCY GLOBAL INC. notes that EPA scientists discussed publicly an analysis they performed, which may be one of the responsive documents for EPA's August 22, 2022, announcement. On September 18, 2021, an article published in The Intercept titled "New Evidence of Corruption at EPA Chemicals Division, EPA Whistleblowers have provided evidence that agency officials avoided calculating the health risks posed by hundreds of new chemicals." The article specifically states the following:

In February, a small group of scientists reviewed the safety thresholds set by the EPA for all of the 368 new chemicals submitted to the agency in 2020. They found that more than half could pose risks even in cases in which the agency had already described exposure as "negligible" and thus had not calculated specific risk. Again, the scientists brought the exposure threshold issue to the attention of managers in the New Chemicals Division, briefing them on their analysis and re-requesting that the use of the outdated cutoffs be stopped. But they received no response to their proposal. Seven months later, the thresholds remain in use and the risk posed by chemicals deemed to have low exposure levels is still not being calculated and included in chemical assessments, according to EPA scientists who spoke with The Intercept.

Though neither the referenced analysis nor the briefing materials were provided in the article, these documents presumably had an operative effect on EPA's final decision and would therefore be responsive to this request.

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Documents responsive to this request likely will be maintained by the Office of Pollution Prevention and Toxics (OPPT). This office is identified solely to assist EPA in responding to this request and is not intended to limit the scope of this request in any way. Documents responsive to this request may be maintained by other EPA offices and divisions, and any such documents expressly are included within the scope of this request.

COGENCY GLOBAL INC. understands that some of the documents responsive to this request may have to undergo confidential business information (CBI) review. COGENCY GLOBAL INC. requests that any responsive documents that do not have to undergo CBI review be provided to us as soon as possible.

If for any reason you determine that portions of the requested information are exempt from disclosure under FOIA, please delete the allegedly exempt material, inform us of the basis for the claimed exemption, and furnish us with copies of those portions of the information that you determine not to be exempt. COGENCY GLOBAL INC. consents to such deletion at this time to facilitate your prompt response and in no way waives our right to appeal any determination that you may make regarding the applicability of any FOIA exemptions to the requested documents and information.

COGENCY GLOBAL INC. requests that you provide us with accurate copies or a complete and accurate account of the information requested. This is a commercial request. COGENCY GLOBAL INC. agrees to pay reasonable search and reproduction costs; if these costs exceed \$200, however, COGENCY GLOBAL INC. requests that you notify us before reproducing the documents.

COGENCY GLOBAL INC. understands that it can expect a response within 20 days of your receipt of this letter. We prefer electronic copies of the documents, but if courier or overnight delivery is necessary, please contact us for delivery or pickup information.

If you have any questions about this request or require further information, please contact us at 800.494.5225 or [agency@cogencyglobal.com](mailto:agency@cogencyglobal.com). Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads 'Joanna McCall'.

Joanna McCall, Assistant Secretary  
On behalf of:  
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800.494.5225  
[agency@cogencyglobal.com](mailto:agency@cogencyglobal.com)

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